

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

WILLIAM G. MOORE,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Case No. C08-5072FDB  
CR95-5415FDB

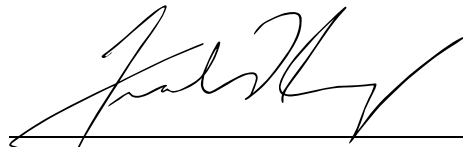
ORDER TRANSFERRING  
SUCCESSIVE 28 U.S.C. SECTION  
2255 PETITION TO COURT OF  
APPEALS

Petitioner filed a motion pursuant to 2255 in the above captioned case. Petitioner has earlier filed such a petition, however. This Court lacks authority to review successive habeas motions filed without authorization from the Ninth Circuit Court of Appeals. 28 U.S.C. § 2255.

NOW, THEREFORE, IT IS ORDERED: Moore's Petition, styled a Petitioner for Writ of Habeas Corpus, but referenced relief under 2255, is **TRANSFERRED** to the Ninth Circuit Court of Appeals for determination of whether his motion should be authorized pursuant to 28 U.S.C. § 2244(b)(3).

The Clerk shall send a copy of this order to Petitioner Moore and to the Government and forward this filed, with a copy of this Order, to the Clerk of the Ninth Circuit Court of Appeals.

DATED this 21<sup>st</sup> day of April, 2008.

  
FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE